

Notice of Allowability

Application No.

09/849,979

Examiner

Matthew S. Gart

Applicant(s)

GANESAN ET AL.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment 9/11/2006 and Ex. Amendment 11/16/2006.
2. ☒ The allowed claim(s) is/are 59-68, 70-79 and 82-107-m. Gart
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 11/13/2006.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 11/16/2006
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

MATTHEW S. GART
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Title

The title has been changed to read as follows:

-Method and System for Making a Monetary Gift-

In the Claims

82. (currently amended) The ~~system~~ method of Claims 63, wherein:

the request is received by, the received request is processed by and the generated electronic greeting card is transmitted by an electronic greeting card service;
and

the crediting of funds is directed by a payment service provider.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 63 and 74

The prior art of record neither anticipates nor fairly and reasonably teaches a method for making a monetary gift, comprising, *inter alia*, further transmitting, via the network, the transmitted electronic greeting card including the hyper-link and the notification of the monetary gift to a non-designated recipient.

The prior art of record neither anticipates nor fairly and reasonably teaches a system for making a monetary gift, comprising, *inter alia*, the communication port further configured to receive, via the network over the hyperlink, information identifying a non-designated recipient subsequent to a transmission of the electronic greeting card.

The most noteworthy prior art of record is to: Van Dusen (US Patent No. 6,175,823) and Albrecht (US Patent No. 5,984,180). Claims 63 and 74 require that the designation of the recipient, the e-mail address, is made by the donor. Van Dusen does not change the recipient of the e-mail message, but rather allows the recipient to select one of the multiple accounts associated with the e-mail address that should be credited with the money from the gift. None of the prior art of record remedies these deficiencies.

Regarding independent claims 64 and 75

The prior art of record neither anticipates nor fairly and reasonably teaches a method for making a monetary gift, comprising, *inter alia*, debiting a payment account at a financial institute associated with the requesting donor.

The prior art of record neither anticipates nor fairly and reasonably teaches a system for making a monetary gift, comprising, *inter alia*, the payment account associated with the donor is directed to be debited at a time subsequent to an activation of a hyper-link included in the transmitted electronic greeting card.

The most noteworthy prior art of record is to: Van Dusen (US Patent No. 6,175,823) and Albrecht (US Patent No. 5,984,180). Van Dusen teaches crediting of the recipient's account after activating the hyper-link, not debiting the donor's account after activation of the hyper-link. None of the prior art of record remedies these deficiencies.

Regarding independent claims 66 and 77

The prior art of record neither anticipates nor fairly and reasonably teaches a method for making a monetary gift, comprising, *inter alia*, wherein the request is received from an electronic greeting card service.

The prior art of record neither anticipates nor fairly and reasonably teaches a system for making a monetary gift, comprising, *inter alia*, wherein the request is received from an electronic greeting card service.

The most noteworthy prior art of record is to: Van Dusen (US Patent No. 6,175,823) and Albrecht (US Patent No. 5,984,180). Van Dusen does not present evidence of how the recipient's Internet Service Provider generates the greeting card, rather it appears that the ISP merely forwards the electronic greeting card. None of the prior art of record remedies these deficiencies.

Regarding independent claims 68 and 79

The prior art of record neither anticipates nor fairly and reasonably teaches a method for making a monetary gift, comprising, *inter alia*, transmitting, via the network, the generated electronic greeting card to an electronic greeting card service prior to transmitting the electronic greeting card to the designated recipient.

The prior art of record neither anticipates nor fairly and reasonably teaches a system for making a monetary gift, comprising, *inter alia*, wherein the communication port is further configured to transmit, via the network, the generated electronic greeting card to an electronic greeting card service.

The most noteworthy prior art of record is to: Van Dusen (US Patent No. 6,175,823) and Albrecht (US Patent No. 5,984,180). Van Dusen does not show the donor generates the electronic greeting card and forwards it to the sponsoring merchant. None of the prior art of record remedies these deficiencies.

COMMENTS

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

DRAWINGS

The drawings filed on 11/25/2002 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftsperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

CONCLUSION

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

JP02002041909A, Publication Date: February 8, 2002, discloses arranging method of gift by using Internet and system therefor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew S. Gart whose telephone number is 571-272-3955. The examiner can normally be reached on M-F, 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MSG

Primary Examiner

November 16, 2006



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